



South Dakota Board of Examiners for Counselors & Marriage and Family Therapists

P.O. Box 340, 1351 N. Harrison Ave., Pierre, SD 57501-0340

Ph: 605-224-1721

Fax: 1-888-425-3032

E-mail: SDBCE@midwestsolutionssd.com dss.sd.gov/licensingboards/examiners.aspx

South Dakota Board of Examiners for Counselors & Marriage and Family Therapists Regular Meeting

Thursday, June 15, 2017 & Friday, June 16, 2017

President Rice Brinkworth called the meeting to order at 1:02 pm central and determined a quorum.

Board Members Present: Lynell Rice Brinkworth, Tacey Braithwaite, Sherry Bartels, Sherwood Schrenk, Jill Schoen, Darrel Kessler, Roswitha Konz and Tiffany Butler

Board Members Absent: Cheryl Hartman

Others Present: Jennifer Stalley, Executive Secretary; Jim Carlon, legal counsel; Steven Blair, Assistant Attorney General, Cullen McNeece, Assistant Attorney General, Robert McCarthy, Department of Social Services; and Paul Ritter

Motion to approve the proposed agenda by Konz. Seconded by Braithwaite. Motion carried.

Rice Brinkworth asked for comments from the public. There were no comments offered.

The Board conducted a declaratory ruling hearing to clarify whether educational requirements set forth at SDCL 36-32-42(2) are satisfied by an applicant who has completed a 48 hours masters degree that does not meet the requirements of SDCL 36-32-42(2)(a)-(f) when the applicant proposes to supplement the non-qualifying masters degree program by completing additional courses post-masters degree. Paul Ritter provided testimony to the Board. The Board instructed legal counsel to draft a declaratory ruling to allow an applicant to supplement a non-qualifying masters degree program with CACREP approved course(s) post-master degree.

The Board noted the time and place for the LMFT application by reciprocity hearing of Clayton Howff. Howff appeared before the Board and presented information concerning his application for LMFT by reciprocity.

Motion to go into executive session for consideration of contested cases at 2:48 pm by Butler. Seconded by Braithwaite. Motion carried.

Motion to come out of executive session at 4:09 pm by Butler. Seconded by Kessler. Motion carried.

Motion to deny the LMFT application by reciprocity of Clayton Howff by Butler. Seconded by Kessler. Motion carried. Schoen abstained.

Motion to accept the settlement agreement in Complaint 2016-04 by Kessler. Seconded by Braithwaite. Motion carried.

Motion to accept the settlement agreement in Complaint 2016-05 with revocation of license for one year by Schoen. Seconded by Konz. Motion carried. Schrenk abstained.

Motion to dismiss Complaint 2017-01 with a letter of concern from Board staff by Konz. Seconded by Braithwaite. Motion carried. Butler abstained.

Motion to accept the settlement agreement in Complaint 2017-02 with revocation of license for one year by Butler. Seconded by Kessler. Motion carried. Konz abstained.

Motion to dismiss Complaint 2017-03 by Butler. Seconded by Konz. Motion carried. Schrenk abstained.

Motion to adopt the Findings of Fact and Conclusions of Law and sign the Order in the Matter of the LPC-MH application by reciprocity of Carey A. MacCarthy by Kessler. Seconded by Schrenk. Motion carried. Schoen abstained.

Motion to adopt the Findings of Fact and Conclusions of Law and sign the Order in the Matter of Complaint 2014-05 by Butler. Seconded by Schoen. Motion carried. Konz and Kessler abstained.

Motion to approve the meeting minutes of March 30-31, 2017 by Schrenk. Seconded by Butler. Motion carried.

Motion to approve the financial report as of May 31, 2017 by Butler. Seconded by Kessler. Motion carried.

Stalley provided the Board with a list of new licensee since March 31, 2017.

Robert McCarthy introduced himself to the Board. McCarthy is a senior policy analyst with the Department of Social Services and is the Board's liaison to the Department.

Stalley presented a request from NBCC to provide licensee information to complete the NBCC 5-year workforce assessment. The Board directed Stalley to share the requested information.

Stalley updated the Board on House Bill 1183's implementation. The Department of Social Services is convening a workgroup of impacted Boards. The Board will be contacted for any necessary information or participation on a workgroup as the Department moves forward.

Stalley asked the Board for direction on the expiration of the approved supervisor status. The Board directed the office to set the expiration date of the approved supervisor status to match the

continuing education cycle, every two years. Approved board supervisors should be asked to renew their status during the renewal cycle for 2017.

Stalley shared an invitation from Sioux Falls Psychological Services to present information to the Board on the face to face supervision requirements and options to the current requirements. The Board declined the offer.

Stalley reminded the Board of the national meeting schedule. Information will be sent to Board members to consider attending.

Stalley and Schoen informed the Board about their presentation to the Sioux Falls Seminary. The Board discussed the degree programs offered at Sioux Falls Seminary. The Board asked that Sioux Falls Seminary be asked to present to the Board on its degrees at an upcoming meeting.

Motion to recess the meeting until 8:30 am, Friday, June 16, 2017, by Butler. Seconded by Braithwaite. Motion carried.

The Board reconvened at 8:33 am, Friday, June 16, 2017. Rice Brinkworth declared a quorum.

Board Members Present: Lynell Rice Brinkworth, Tacey Braithwaite, Sherry Bartels, Sherwood Schrenk, Jill Schoen, Cheryl Hartman, Darrel Kessler Roswitha Konz and Tiffany Butler

Others Present: Jennifer Stalley, Executive Secretary; Steven Blair, Assistant Attorney General, and Cullen McNeece, Assistant Attorney General.

Motion to go into executive session for consideration of contested cases at 8:35 am by Shrenk. Seconded by Konz. Motion carried.

Motion to come out of executive session at 11:36 am by Bartels. Seconded by Hartman. Motion carried.

Motion to reject the licensee's settlement offer in Complaint 2015-04 and direct Board staff to reoffer the Board's original settlement offer or proceed to a hearing by Kessler. Seconded by Konz. Motion carried. Rice Brinkworth and Schrenk were recused.

The next meeting date is schedule for October 26-27, 2017 in Sioux Falls. A future meeting is scheduled for December 8, 2017 in Pierre.

Motion to adjourn by Butler. Second by Bartels. Motion carried.

The Board adjourned at 11:47 am.

Respectfully Submitted,

Jennifer Stalley, Executive Secretary